

EXHIBIT A

DEL-15-2010(WED) 17:19

P. 002/011

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT**

KEN FLYNT

PLAINTIFF

V.

CASE NO.: 251-10-968CIV

BIOGEN IDEC

DEFENDANT

NOTICE AND ACKNOWLEDGMENT FOR SERVICE BY MAIL

TO: Biogen Idec
c/o Chief Executive Officer - George A. Scangos
133 Boston Post Road
Weston, MA 02493

The enclosed summons and complaint are served pursuant to Rule 4(c)(3) of the Mississippi Rules of Civil Procedure.

You must sign and date the acknowledgment at the bottom of this page. If you are served on behalf of a corporation, unincorporated association (including a partnership), or other entity, you must indicate under your signature your relationship to that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

If you do not complete and return the form to the sender within 20 days of the date of mailing shown below, you (or the party on whose behalf you are being served) may be required to pay any expenses incurred in serving a summons and complaint.

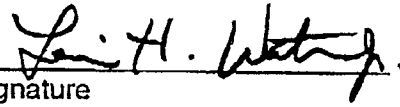
If you do complete and return this form, you (or the party on whose behalf you are being served) must respond to the complaint within 30 days of the date of your signature.

DEC-15-2010(WED) 17:19

P. 003/011

If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

I declare that this Notice and Acknowledgment of Receipt of Summons and Complaint was mailed on December 15, 2010.


Signature

DEC-15-2010(WED) 17:20

P.004/011

THIS ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT MUST BE COMPLETED

I acknowledge that I have received a copy of the summons and the complaint in the above-captioned matter in the State of Mississippi.

Tammy L. Baker
Signature

Attorney for Biogen Idec
(Relationship to Entity/Authority to Receive Service of Process)

1-3-2011
Date of Signature

State of Alabama

County of Jefferson

Personally appeared before me, the undersigned authority in and for the State and County aforesaid, the above named Tammy L. Baker, who _____ solemnly and truly declared and affirmed before me that the matters and facts set forth in the foregoing Acknowledgment of Receipt of Summons and Complaint are true and correct as therein stated.

Affirmed and subscribed before me this the 3rd day of January, 2011.

Sarah M. Moduin
Notary Public

My Commission Expires 5-12-2014

(Seal)

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT**

KEN FLYNT

PLAINTIFF

V.

CASE NO.: 251-10-968CIV

BIOGEN IDEC

DEFENDANT

NOTICE AND ACKNOWLEDGMENT FOR SERVICE BY MAIL

TO: Biogen Idec
c/o Chief Executive Officer - George A. Scangos
133 Boston Post Road
Weston, MA 02493

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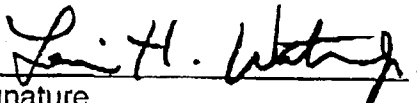
You must sign and date the acknowledgment at the bottom of this page. If you are served on behalf of a corporation, unincorporated association (including a partnership), or other entity, you must indicate under your signature your relationship to that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

If you do not complete and return the form to the sender within 20 days of the date of mailing shown below, you (or the party on whose behalf you are being served) may be required to pay any expenses incurred in serving a summons and complaint.

If you do complete and return this form, you (or the party on whose behalf you are being served) must respond to the complaint within 30 days of the date of your signature.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

I declare that this Notice and Acknowledgment of Receipt of Summons and Complaint was mailed on December 15, 2010.


Signature

THIS ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT MUST BE COMPLETED

I acknowledge that I have received a copy of the summons and the complaint in the above-captioned matter in the State of Mississippi.

Signature

(Relationship to Entity/Authority to
Receive Service of Process)

Date of Signature

State of _____

County of _____

Personally appeared before me, the undersigned authority in and for the State and County aforesaid, the above named _____, who _____ solemnly and truly declared and affirmed before me that the matters and facts set forth in the foregoing Acknowledgment of Receipt of Summons and Complaint are true and correct as therein stated.

Affirmed and subscribed before me this the _____ day of _____, 20____.

Notary Public

My Commission Expires _____

(Seal)

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

KEN FLYNT

PLAINTIFF

VS.

CIVIL ACTION NO: 25-11968 CIV

BOIGEN IDEC

DEFENDANT

SUMMONS

TO: Biogen Idec
c/o Chief Executive Officer George A. Scangos
133 Boston Post Road
Weston, MA 02493

NOTICE TO DEFENDANT

The Complaint which is attached to this summons is important and you must take immediate action to protect your rights.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Louis H. Watson, Jr., Louis H. Watson, Jr., P.A., 628 N. State Street, Jackson, Mississippi 39202, the attorney for the Plaintiff. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

ISSUED under my hand and the seal of said Court, this the 16 day of Nov, 2010.

Honorable Barbara Dunn
Circuit Clerk of Hinds County, MS

By: 
Deputy Clerk

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

KEN FLYNT

PLAINTIFF

VS.

FILED

CIVIL ACTION NO: 257-10-968 C.IV

BOIGEN IDEC

NOV 15 2010

DEFENDANT

BARBARA DUNN, CIRCUIT CLERK

BY

DC
COMPLAINT

JURY TRIAL DEMANDED

COMES NOW Plaintiff Ken Flynt and brings this action against his former employer, Defendant, Biogen Idec. Plaintiff is seeking monetary, declaratory relief and injunctive relief. As more specifically set forth below, Plaintiff has been subjected to disability discrimination in the terms and conditions of his employment with Defendant. The actions of the Defendant are in violation of the Americans With Disabilities Act of 1990.

THE PARTIES

1. Plaintiff Ken Flynt is an adult male resident of Lauderdale County, Mississippi residing at 8666 Cook Road, Bailey, Mississippi 39320.
2. Defendant Biogen Idec (hereinafter "Defendant"), is a foreign corporation and although is not properly licensed to conduct business in the State of Mississippi, is in fact conducting business in the State of Mississippi. Biogen Idec may be served with process through its Chief Executive Officer George A. Scangos at its corporate headquarters located at 133 Boston Post Road, Weston, MA 02493.

JURISDICTION

3. This court has jurisdiction for actions that arise under the Americans With Disabilities Act of 1990 (ADA).

4. This Court has personal and subject matter jurisdiction over the Defendant and venue is proper in this Court.

5. Plaintiff timely filed a Charge of Discrimination with the EEOC, a true and correct copy of which is attached as Exhibit "A." On August 17, 2010, the EEOC issued a Dismissal and Notice of Rights, a true and correct copy of which is attached as Exhibit "B." Plaintiff timely files this cause of action within ninety (90) days of receipt of his Dismissal and Notice of Rights.

STATEMENT OF FACTS

6. Plaintiff was hired by Defendant on February 2008 and worked as an area business manager under Regional Director Bill Richards.

7. During his employment, Plaintiff suffered a debilitating condition due to the constant yelling, screaming and inconsiderate working conditions Bill Richards subjected Plaintiff to.

8. Due to his disability, Plaintiff was off of work on short term disability for six months until it ran out. Rather than accommodate Plaintiff's doctor's request in November of 2009 that would have allowed Plaintiff to return to his job, Defendant terminated Plaintiff.

9. Defendant sent Plaintiff a letter which stated that he would be terminated if he did not contact the company by a deadline. Plaintiff received the letter the day after the deadline.

10. Plaintiff has been wrongly discriminated against because of his disability in violation of the Americans with Disabilities Act..

CAUSES OF ACTION

COUNT I - VIOLATION OF THE ADA

11. Plaintiff re-alleges and incorporates all averments set forth in paragraphs 1 through 10 above as if fully incorporated herein.

12. The Defendant violated the ADA by arbitrarily refusing to reasonably accommodate the Plaintiff's disability or perceived disability.

13. The Defendant violated the ADA by arbitrarily refusing to allow Plaintiff to return to work because of his disability or perceived disability

14. The unlawful actions of the Defendant complained of above were intentional, malicious, and taken in reckless disregard of the statutory rights of Plaintiff.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, PLAINTIFF RESPECTFULLY PRAYS that the Court cause service to issue in this cause upon the Defendant and that this matter be set for trial. Upon trial by jury thereon, Plaintiff prays that the following relief be granted:

1. Reinstatement or front pay in lieu of reinstatement, back pay, lost benefits, and other pecuniary losses proximately caused by Defendant's unlawful conduct;
2. Compensatory damages against Defendant in an amount to be determined by the jury;

3. Interest;
4. Punitive damages against Defendant in an amount to be determined by the jury;
5. All costs, disbursements, pre-judgment interest, post-judgment interest, expert witness fees and reasonable attorney's fees allowed under the ADA; and,
6. Such further relief as is deemed just and proper.

THIS the 15th day of November, 2010.

Respectfully submitted,
KEN FLYNT, PLAINTIFF

By: *Louis H. Watson, Jr.*

Louis H. Watson, Jr. (MB# 9053)

Nick Norris (MB# 101574)

Attorneys for Plaintiff

OF COUNSEL:

LOUIS H. WATSON, JR., P.A.
628 North State Street
Jackson, Mississippi 39202
Telephone: (601) 968-0000
Facsimile: (601) 968-0010
Email: louis@louiswatson.com
Web: www.louiswatson.com
www.msemploymentlaw.com

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EEOC Form 6 (11/09)

| CHARGE OF DISCRIMINATION | | Charge Presented To: Agency(ies) Charge No(s): | |
|--|--|--|-------------------------------|
| This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form. | | <input type="checkbox"/> FEPA | 846-2010-28565 |
| | | <input checked="" type="checkbox"/> EEOC | |
| State or local Agency, if any | | | |
| Name (Indicate Mr., Ms., Mrs.) | | Home Phone (Incl. Area Code) | Date of Birth |
| Mr. Ken Flynt | | (601) 479-3351 | 01-10-1958 |
| Street Address | | City, State and ZIP Code | |
| P. O. Box 3838 | | Meridian, MS 39303 | |
| Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.) | | | |
| Name | | No. Employees/Members | Phone No. (include Area Code) |
| BIOGEN IDEC | | 500 or More | (617) 914-7009 |
| Street Address | | City, State and ZIP Code | |
| 45 William Street, Suite 200 | | Wellesley, MA 02481 | |
| Name | | No. Employees/Members | Phone No. (include Area Code) |
| | | | |
| Street Address | | City, State and ZIP Code | |
| | | | |
| DISCRIMINATION BASED ON (Check appropriate box(es).) | | DATE(S) DISCRIMINATION TOOK PLACE | |
| <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify) | | Earliest: 11-20-2009 Latest: 12-04-2009 <input type="checkbox"/> CONTINUING ACTION | |
| THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): | | | |
| <p>I was hired by the above named employer in February 2008 and worked as an area business manager under regional director, Bill Richardson. During my employment, I suffered a debilitating condition due to the constant yelling, screaming and inconsiderate working conditions Bill Richardson subjected me to.</p> <p>Due to my disability I was off work on short term disability for six months and until it ran out. Rather than accommodate my doctor's request in November 2009, that possibly would have allowed me to return to the job, I was discharged. I received a letter on December 4, 2009 which was dated December 3, 2009, indicating that if I did not contact them on that date, I would be fired.</p> <p>I believe that I was discriminated against, subjected to a hostile working environment, denied reasonable accommodations and discharged in violation of The Americans With Disabilities Act, since;</p> <p>But for the treatment accorded me by Bill Richardson, I would not have suffered the disabling condition that I have and would possibly have been able to work with accommodations had my doctor's request been honored.</p> <p>Upon information, another employee has also developed the same disabling condition due to the employer failing to take corrective action and allowing the regional director to continue to harass employees.</p> | | | |
| I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. | | NOTARY - When necessary for State and Local Agency Requirements | |
| I declare under penalty of perjury that the above is true and correct. | | I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. | |
| Date: 3-8-10 | | SIGNATURE OF COMPLAINANT | |
| Charging Party Signature | | SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) | |



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EEOC Form 161, (11/02)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Ken Flynt
P. O. Box 3838
Meridian, MS 39303

From: Jackson Area Office
100 West Capitol Street
Suite 207
Jackson, MS 39269



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

846-2010-28565

Willie L. Schaffer,
Enforcement Supervisor

(601) 948-8404

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

Enclosures(s)

Wilma Scott,
Area Director

8/17/10
(Date Mailed)

cc: BIOGEN IDEC
45 William Street, Site 200
Wellesley, MA 02481

Jeffrey S. Brody, Esquire
75 Park Plaza
Boston, MA 02116

